IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.913 OF 2006

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OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

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Shri Ganesh Gole for the Appellant.
Shri Rajesh More, A.P.P. for the State.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 21, 2006.

P.C.:

1. Heard Shri Gole appearing for the Applicant. The conviction of the Applicant is for serious offence punishable under section 376(2)(g) of the Indian Penal Code. The Applicant has been directed to undergo rigorous imprisonment for a period of ten years. This offence involves four accused persons. The learned counsel for the Applicant has invited my attention to the evidence of the prosecutrix, evidence of alleged eye-witness and evidence of medical officer. He submitted that on plain reading of the evidence it was unsafe to pass order of conviction only on the basis of testimony of the prosecutrix.

2. I have considered the submissions. I have gone through the notes of evidence. After considering the evidence on record the learned Judge has accepted the testimony of the prosecutrix. The learned Trial Judge has drawn assurance from the other material on record including the report of the Chemical Analyser. During the pendency of the trial, the Applicant was not enlarged on bail. Considering the gravity of offence, no case is made out for grant of bail. Application is rejected. Liberty to file private paper-book. Hearing of the Appeal is expedited.

JUDGE